

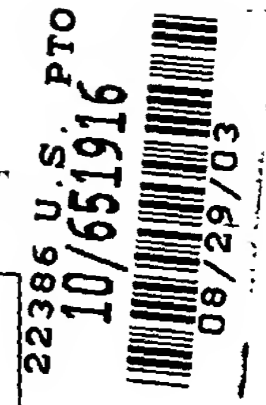
Practitioner's Docket No. 18438/09018

PATENT

Preliminary Classification:

Proposed Class: 424

Subclass:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Jaime Masferrer

For (title): METHODS AND COMPOSITIONS FOR THE PREVENTION OR TREATMENT OF  
NEOPLASIA COMPRISING A COX-2 INHIBITOR IN COMBINATION WITH AN  
EPIDERMAL GROWTH FACTOR RECEPTOR ANTAGONIST

1. Type of Application

This application is for a continuation-in-part (C-I-P).

2. Benefit of Prior U.S. Applications (35 U.S.C. §§ 119(e), 120, or 121)

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**EXPRESS MAILING UNDER 37 C.F.R. § 1.10\***

(Express Mail label number is *mandatory*.)

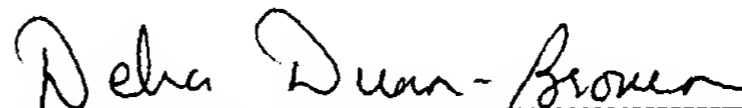
(Express Mail certification is *optional*.)

I hereby certify that this paper, along with any document referred to, is being deposited with the United States Postal Service on this date August 29, 2003 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 as "Express Mail Post Office to Addressee" Mailing Label No. EV352775013.

Debra Dunn-Brown

Type or print name of person mailing paper

Date: August 29, 2003

  
Signature of person certifying

**WARNING:** Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

**\*WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996. 60 Fed. Reg. 56,439, at 56,442.

New Application Transmittal--page 1 of 5

The new application being transmitted claims the benefit of prior U.S. applications. Enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATIONS CLAIMED.

**3. Papers Enclosed**

**A.** Required for filing date under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 (Design) Application

285 Page(s) of Specification  
17 Page(s) of Claims

**B.** Other Papers Enclosed

4 Page(s) of Declaration and Power of Attorney (unexecuted)  
1 Page(s) of Abstract  
1 Page(s) of Express Mail Certificate  
1 Page(s) of Fee Transmittal Sheet  
4 Page(s) of Patent Application Data Sheet  
1 Page(s) of Check No. 23344 for \$ 1,086.00  
1 Page(s) of Return Postcard

**4. Declaration or Oath (unexecuted)**

Enclosed

**5. Inventorship Statement**

The inventorship for all the claims in this application is the same.

**6. Language**

English

**7. Fee Calculation (37 C.F.R. § 1.16)**

Regular Application									
CLAIMS AS FILED									
	Number Filed		Number Extra		Rate		Basic Fee 37 C.F.R. § 1.16(a) \$750.00		
Total Claims (37 C.F.R § 1.16(c))	34	–	20	=	14	x \$	18.00	= \$	252.00
Independent Claims (37 C.F.R § 1.16(b))	4	–	3	=	1	x \$	84.00	= \$	84.00

Multiple Dependent Claim(s), if any (37 C.F.R § 1.16(d))	\$	280.00	\$	0.00
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Filing Fee Calculation

\$1,086.00

**8. Fee Payment Being Made at This Time**

Enclosed

Filing Fee

\$1,086.00

**Total Fees Enclosed**

**\$1,086.00**

**9. Method of Payment of Fees**

Attached is Check No. 23344 in the amount of \$1,086.00.

Charge any additional fees required by this paper or credit any overpayment to Account # 50-2548.

A duplicate of this paper is attached.

**10. Authorization to Charge Additional Fees**

The Office is hereby authorized to charge, to Account #50-2548, any additional fees that may be required by this paper and during the entire pendency of this application.

**11. Instructions as to Overpayment**

Credit Account No. 50-2548.

**ADDED PAGES FOR APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S.  
APPLICATIONS CLAIMED  
(37 C.F.R. § 1.78)**

**12. Relate Back**

**A. 35 U.S.C. § 119(e)**

This application claims the benefit of U.S. Provisional Application No.:

<b>APPLICATION NO.</b>	<b>FILING DATE</b>
60/113,786	12/23/1998

**Language of prior filed provisional application**

The above identified prior filed provisional application, namely application 60/113,786, filed 12/23/1998, whose benefit is being claimed was filed in the English language.

**B. 35 U.S.C. Sections 120, 121 and 365(c)**

This application is a continuation-in-part of copending Application number 09/470,951 filed on December 22, 1999.

The nonprovisional application designated above, namely application 09/470,951, filed December 22, 1999, claims the benefit of U.S. Provisional Application No.:

<b>APPLICATION NO.</b>	<b>FILING DATE</b>
60/113,786	12/23/1998

**13. Maintenance of Copendency of Prior Application**

No petition for Extension of Time is required in the Prior Application(s).

**14. Further Inventorship Statement Where Benefit of Prior Application(s) Claimed**


- (a) This application discloses additional disclosure and a new declaration or oath is being filed. With respect to the prior application, one of the inventors of the prior application is the sole inventor in this application.

**15. NOTIFICATION IN PARENT APPLICATION OF THIS FILING**

A notification of the filing of this continuation-in-part has not been filed in the parent application, from which this application claims priority under 35 U.S.C. § 120.

Date: 8/29/03

Reg. No.: 52,284  
Tel. No.: 864-250-2298

  
\_\_\_\_\_  
Signature of Practitioner

Robert S. Thomas  
Nelson Mullins Riley & Scarborough, LLP  
P.O. Box 11070  
Columbia, SC 29211-1070

Practitioner's Docket No. 18438/09018

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jaime Masferrer

Application No.: Not yet assigned

Group No.:

Filed: 08/29/2003

Examiner:

For: METHODS AND COMPOSITIONS FOR THE PREVENTION OR TREATMENT OF  
NEOPLASIA COMPRISING A COX-2 INHIBITOR IN COMBINATION WITH AN  
EPIDERMAL GROWTH FACTOR RECEPTOR ANTAGONIST

Mail Stop Patent Application

Commissioner for Patents

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Alexandria, VA 22313-1450

EXPRESS MAIL CERTIFICATE

"Express Mail" label number EV352775013

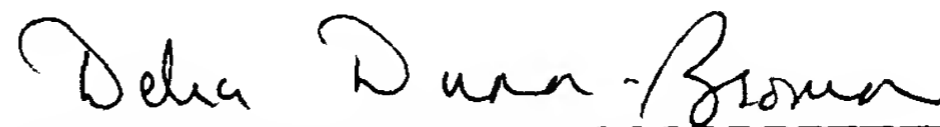
Date of Deposit 08/29/2003

I hereby state that the following *attached* paper or fee

1. Fee Transmittal (1 page)
2. New Application Transmittal with Added Pages for Application Transmittal Where Benefit of Prior US Applications Claimed (w/ duplicate) (5 pages each)
3. Patent Application Data Sheet (4 pages)
4. C-I-P Patent Application w/ title page and abstract (304 pages)
5. Unexecuted Combined Declaration and Power of Attorney (4 pages)
6. Check No. 23344 for \$1,086.00 (1 page)
7. Return Postcard.

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Debra Dunn-Brown



Signature of person mailing paper or fee

08/29/03  
1636 U.S. PTO

# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1,086.00

## Complete if Known

Application Number	Not yet assigned
Filing Date	August 29, 2003
First Named Inventor	Jaime Masferrer
Examiner Name	
Art Unit	
Attorney Docket No.	18438/09018

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit  
Account  
Number  
Deposit  
Account  
Name

50-2548

Nelson Mullins et al.

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☐ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	750.00
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$ 750.00

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below		Fee Paid
Independent	Multiple Dependent	-20** =	-3** =	X	=	
34	4	14	1	18	84	252
						84
						0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 1,086.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

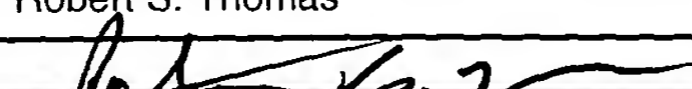
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0.00

## SUBMITTED BY

Name (Print/Type)	Robert S. Thomas	Registration No. (Attorney/Agent)	52,284	Telephone	864-250-2298
Signature		Date	August 29, 2003		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.